

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

95th Legislative Day

May 9, 2002

PRESIDENT PHILIP:

The regular Session of the 92nd -- General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Father Kevin Vann, Blessed Sacrament Catholic Church, Springfield, Illinois. Father Vann.

FATHER KEVIN VANN:

(Prayer by Father Kevin Vann)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal. Senator Jones.

SENATOR W. JONES:

Mr. President, I move that reading and approval of the Journals of Monday, May 6th; Tuesday, May 7th; and Wednesday, May 8th, in the year 2002, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Jones moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objections, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Amendment 3 to House Bill 4081 and Senate Amendment 3 to House Bill 5002 Be Approved for Consideration.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1982, with House Amendments 1 and 3.

We have a like Message on Senate Bill 1932, with House Amendment No. 1.

Both passed the House, as amended, May 8th, 2002.

PRESIDENT PHILIP:

Senator Bowles, for what purpose do you rise?

SENATOR BOWLES:

For a point of personal privilege, Mr. -- Mr. President.

PRESIDENT PHILIP:

State your point.

SENATOR BOWLES:

I have with me today three constituents from my district. Mrs. Bernie Wickenhauser, who was a former worker with me in the County Clerk's Office. We worked together many, many years. Her daughter, who is an executive relationship manager with the U.S. Bank in Edwardsville, and Mary Beth Higgins, who is a Prosecutor Assistant State's Attorney with the Madison County State's Attorney's Office.

PRESIDENT PHILIP:

Will they please rise and be recognized by the Senate? Illinois Information Service requested permission to film. Is leave granted? Leave is granted. Resolutions.

SECRETARY HARRY:

Senate Resolution 426, offered by Senator Sullivan.

Senate Resolution 427, by Senator Dudycz.

And Senate Resolution 428, by Senator Parker.

They're all substantive, Mr. President.

PRESIDENT PHILIP:

Senator Parker, for what purpose do you rise?

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SENATOR PARKER:

For a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR PARKER:

Thank you, Mr. President. I have with me today, Michelle Klettke, and her mother, Cathy Klettke, from Crystal Lake. They are special guests here today, and please welcome them.

PRESIDENT PHILIP:

Will they please rise and be welcomed by the Senate?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio, what purpose do you rise, sir?

SENATOR DEMUZIO:

Thank you, Mr. President. Let the record reflect that Senator Clayborne, obviously, has been absent all week due to illness. And our prayers are with him this morning. I understand he's doing a little surgery.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator. Senator Noland, what purpose do you rise, sir?

SENATOR NOLAND:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR NOLAND:

I have two young people here, guests of the Varsity Goes to Capitol Hill Program. Julia Jackson and Patrick Steadman of St. Teresa High School in Decatur.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery and on the Floor please rise and be recognized? Welcome to Springfield. Senator Myers, what purpose do you rise, ma'am?

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SENATOR MYERS:

Point of personal privilege, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR MYERS:

I have with me today, Lewis Towne. He's a sixth grader at North Ridge Middle School, an honor student, and I'm very proud to say, my grandson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Well, welcome to Springfield, fellow police officer, I notice, wearing his junior police badge. Senator Roskam, what purpose do you rise, sir?

SENATOR ROSKAM:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR ROSKAM:

Would you please welcome my guest today, Josh Ward, who's a fifth grader at Timothy Christian School. He's from Burr Ridge, and his grandmother, a longtime friend of mine, Gail Oleari, is in the gallery. And also my dad, Swede Roskam, from Wheaton, Illinois, is here checking out his son and what kind of modest, moderate, godly lifestyle I live in Springfield. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery and on the Senate Floor please rise and be recognized? Welcome to Springfield. Mr. Roskam, you raised a very good boy. Ladies and Gentlemen, if you bring your attention to the middle of page 9, in the Order of House -- House Bills 3rd Reading. We will be going to that order immediately, and I would remind the Membership that this is the last day for the passage of House Bills 3rd Reading. So be prepared to move your legislation, or see it forever stay on the Calendar. Brandon

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Bowersox, Independent Media Center, and Rebecca Glaser, WEFT, have requested permission to photograph and record the proceedings. Hearing no objection, leave is granted. Middle of page 9, the Order of House Bills 3rd Reading, is House Bill 207. Senator Dillard. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 207.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We'll start us off today. House Bill 207 is a very simple bill. It merely extends the abandonment period for unclaimed money orders from five years to seven years. Seven years is the recommended time by the Uniform Laws Commission and is the law of more than forty states. So, eighty percent of America uses this time period. This bill was amended in committee to make it effective in 2004. So, it will have no fiscal impact for quite a while on the State of Illinois. And I vehemently disagree with a document that was put out by the State Treasurer, who thinks this is her money. It's not her money. It's individual, private citizens' money. And what happens today, with respect to money orders, is that most people go to the United States Post Office for these things. And we do not get, through unclaimed property -- the federal government gets it. The individual purchaser of it never gets it. But when the federal government issues these money orders, we never collect a dime. And if -- and we heard testimony in the Executive Committee that if private industry were to do this more often, the actual amount of money that would end up with the State Treasurer and in the

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Treasury would go up; the fees for these from private groups would come down. And I would submit that this bill will put more money eventually in the State Treasury. But most importantly, it fosters competition by the private sector instead of having a monopoly by the United States Post Office. And in the end, the State will probably get more money, because we don't collect anything from the U.S. Post Office, but we would with private people. But most importantly, the consumer is better off. They'll have lower costs for money orders, and they will get their money returned to them and have another couple of extra years to get the money that is owed to the private citizens. So I think this is a simple bill. It's a good bill. Most importantly, it's recommended by the Uniform Laws Commission, and it's the law of more than forty states. And I'd appreciate a favorable roll call. I'll answer any questions, if there are any.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Demuzio. Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In -- in committee, Senator Dillard well knows, I -- I had an issue that was with a couple of lobbyists and a -- two people that work for the Treasurer's Office that, after the meeting, we had decided and we talked it over that both Martin Noven, as well as Jason, who does work for the Treasurer, were actually right that there is a period of time where there will be some lost revenue that -- that comes in; however, it's made up in following years. Still have a difficult time. Wasn't answered directly by the lobbyists. It turns out that Martin and Jason were right. Martin Noven was correct when he testified in committee. However, I stand to support this bill only because of the fact it's also come to my attention that most of the states surrounding Illinois have it where it's kept for seven years by the company, and this just

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keeps it in line with all the rest of the states. One of the things that was a concern by Senator del Valle and myself that have large -- somewhat large minority people in our district is the fact that, unfortunately, it's very difficult for them to open up -- right now - I don't know if anybody knows this - when you go to a bank to open up a checking account and you say, "Here's a thousand dollars. I want to open up a checking account," they do a credit check. They won't even let you open up the account unless they -- they think you have good credit. And of course, with the language barrier and people not knowing when they're going to have money, they've resorted to living their lives and staying above the poverty level and doing their taxes through currency exchanges and money orders. Well, I've been assured by the industry, and I know, Senator Dillard, one of the reasons you're carrying this bill, you have been assured by the industry, that this will actually turn into lower costs for the consumers and lower costs for minority consumers. Well, you know, if the good Lord's willing and the voters of my new district return me to this General Assembly, I'm going to be watching this. Because if it doesn't result in it, I will be not only putting in a bill, but I would ask that you be a Senate sponsor to turn it right back. So I'm going to take their word that this is going to actually help the consumer, help us -- and help the minority consumer and lower costs and put us in line with our surrounding states. So, therefore, I am voting Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much. Contrary to the previous speaker who was the only Member of our side of the aisle to vote for this bill, I would not, Senator -- Dillard, willy-nilly just dismiss the State Treasurer's comments with respect to this bill. This bill will

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lose the State of Illinois eleven million dollars. And when we are in the process of where we are with this budget, it seems to me that this is not the appropriate -- thing for us to do today, and certainly is not timely. And therefore, I would ask individuals that really care about the budget to vote No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

A couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

In -- in -- in working to make Illinois' treatment of unclaimed property more uniform, does this bill deal with all unclaimed property, or does this deal with a specific portion of unclaimed property?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you. Thank you. That's a very good question, Senator Rauschenberger. It only deals with money orders and it brings money orders into line with what forty other states have and the recommendation of the Uniform Laws Commission. And I want to say this, if the Treasurer wants - and if Senator Demuzio is worried about any loss of money - and again, let me reiterate, this doesn't come into effect until 2004. So it's been amended out a long way. And the State never loses any money. It just spreads it out over an extra two-year period. But there are a lot of other places, and, Senator Rauschenberger, the Chairman of the Appropriations Committee, if you're looking for extra money, here's a list of the kinds of things that we could claim as unclaimed property that in Illinois are longer -- longer than the



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Uniform Laws Commission recommends. It's a good way to get a lot of cash next week. Merchant's gift certificates, traveler's checks. Traveler's checks have a fifteen-year abandonment period and it's way over what other states and the Uniform Laws Commission recommends. Courts and local government checks. Life insurance companies - a huge source of money - the Uniform Laws Commission says we should have a three-year abandonment period. We have five years in Illinois. Utility companies. We are way out of line with the national standards for utility companies, and in businesses holding unclaimed wages. There's a huge pot of money if we're worried about getting extra money from people through unclaimed property. So, Steve, this bill only deals with money orders. We picked the Uniform Laws Commission and that of more than forty states' time period. And this is a free-enterprise bill. Who should do this? Free enterprise or the United States Post Office, where we don't get a nickel of money?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I appreciate the sponsor's interest in making us...

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Chair would ask the -- the people in the gallery to allow the Senate -- to do their business. Will the -- will the people in the gallery please refrain from continuing their demonstration? You have made your point, and please be seated or the Chair will ask that -- you will be removed from the Chamber. Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

While I respect the sponsor's efforts to bring Illinois into uniform conformity on a number of different issues, the bill before us is one specific. And I just am concerned about the perception questions about whether we're dealing with a specific

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piece of unclaimed property at a time when we certainly have a lot of other issues before us. So, I just would caution people that this bill could be interpreted as one narrow interest trying to retain resources longer. I -- I don't think anyone's made a case -- I don't know if the sponsor wants to -- that there's a -- a fundamental risk that there'll be more reclaiming of money orders if they're -- if they're held longer by the vendor. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator Dillard, Senator Demuzio made a statement that this is going to cost the State ten -- ten million dollars, I think. Is that a -- is that a fact, or is that just political rhetoric, or what's -- is that a fact?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

It -- it's apparently a fact in -- in his mind. This bill costs the State nothing. All it does is extend the time period for two extra years. And Senator Luechtefeld, as I said, if people purchase a money order from the United States Post Office, it never becomes unclaimed property and the State never gets the money. The companies who want this, the private sector, came in and said that they would issue more money orders. Therefore, the State in the end, Dave, will get more money because less will come from the United States Post Office and more will be private money orders, which the State eventually could get through unclaimed property.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hendon.

SENATOR HENDON:

Senator Dillard, could you explain to us why the Treasurer, Judy Baar Topinka, who I was with last night at the Governor's Mansion, is opposed to this? Could you tell us why? According to what I read, she says we're going to lose about eleven million dollars over two years. Do you -- have you had any discussion with the Treasurer?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

I have not discussed this with the Treasurer personally, even though I'm the sponsor of one of her other big bills, which we'll have in an hour from now, and she was up here yesterday. So, Judy's never talked to me personally about this. I've seen her fact sheet. I believe, Senator Hendon, and I don't want to get into her head, but I believe that she wants good numbers, and shows that her office is a profit center for the State of Illinois. And this bill has been amended. Again, it's not effective until 2004. But I don't think Treasurer Topinka wants any diminution in the amount of money her office has collected through unclaimed property. I think she likes to look like she's a profit center for the State of Illinois. And she's a wonderful Treasurer. She's -- she's -- she's invested the State's money probably better than any Treasurer I've ever seen, and she's -- she's great, but she ought to relax. Rickey, this goes into effect in 2004. It is revenue-neutral, and I believe it will make

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money for Treasurer Topinka or her successor's office. It's a turf problem and she wants good numbers. And she's going to get it, 'cause the bill has been amended to not go into effect till 2004.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

Well, I've found Treasurer Topinka to be an excellent Treasurer, and I believe we have enough confidence in her to trust her judgment. You say she's trying to look like she's a profit center for the State of Illinois. Do you think that she has failed in her responsibility to, in fact, be a -- bring profit to the State of Illinois? Do you think she's failed at her -- her position? I'm -- I'm not clear of what you're saying about the Treasurer at this moment, because she's taken a firm position. I see -- as I read, that she says as of April 18th, 2002 {sic}, her office has received eleven million one hundred twenty-three thousand seven hundred eighty-six dollars and five cents through this program. Do you disagree with those figures, Senator Dillard?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Yes, I do. I think they're inflated. And again, Senator Hendon, in two years the State will get their eleven million. So this bill is revenue-neutral. And if you believe in free-market enterprise, the State will get more money, not less money.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

Senator Dillard, are -- are you supporting the cuts proposed by the President of the Illinois Senate right now? You know, we

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have a -- a budget crisis and there are people out here who are hurting. Many have been in my office. I'm certain they've been in your office, and -- as well as other Senators in this Chamber. So, I'd like to know, are you in favor of the cuts or can we take this eleven million and -- and -- and forgo some of those cuts on the citizens of the State of Illinois? Are you supporting those cuts? I did read your name in the press release, I believe.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

I don't know what the final budget will look like, but again, Senator Hendon, this bill doesn't go into effect until 2004. And I'm trying to find more money, not less money, for worthy services. And this bill, contrary to what the Treasurer may believe, will result in more money for the State of Illinois. But this bill doesn't go into effect until 2004.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

Senator Dillard, are you very certain that the fiscal crisis Illinois finds itself in will be alleviated by 204 {sic}? Or is there a possibility that we could still be dealing with some serious economic issues in this State by 204 {sic}?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Well, you can always reconsider it in 2004. I'm quite confident that we will be out of our fiscal constraints by 2004. And I believe by 2005 and 2006, this bill will put more money in the State Treasury.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis.

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SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, very seldom do I disagree with the sponsor of this bill, but this is one of the times. The Treasurer has done an excellent job in bringing more money to Illinois from interest on these unclaimed properties. The other part is that when you figure out that the -- the million -- a million-some dollars for two years is -- is a very good sum that she's collected in the past. I have utmost faith in her, because if anyone works hard to keep the money in the Treasury and to keep the people's money from being wasted, it is our State Treasurer, Judy Baar Topinka. Now, according to the Treasurer, interest earned on unclaimed money orders goes to the State of -- State's pension funds. And claims on unpaid money orders are paid by the Treasurer when owners present their unclaimed order or the serial number of the order. The claims are also paid to issuers who have reported them as abandoned property and, in the meantime, honor the presentation of the items. I don't think this bill is a bill in the right direction. We have a financial crisis. We don't want to add to it. We don't know what's going to happen in 2003 or '4. And I think we have a responsibility to be as prudent as possible and as prudent as the State Treasurer is. And I -- I rise in opposition to this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? If not, Senator Dillard, to close.

SENATOR DILLARD:

Thank you. Never ceases to amaze me how government wants to keep people from getting their money back from private transactions. This bill would give people two more years in which to understand that maybe they forgot about a money order and get their money back. But, apparently, the government wants that extra two years to grab in every penny of what is a private citizen's money. But we got to have it in the State Treasury.

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Forty states do it this way. And the Uniform Laws Commission should be -- and says it should be done this way. And last, but not least, it never ceases to amaze me how government wants to protect itself and -- and do the things that ought to be done by the private banking or fiscal system of this country. This is free enterprise. This is competition, as Senator Molaro pointed out. And why should the United States Post Office do this and never give us a dime if it comes from the United States Post Office? So, this is free enterprise. It's the way most states do it. It's the uniform way to do it, and I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 207 pass. All those in favor will -- will vote Aye. The opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 19 Nays, none voting Present. And House Bill 207, having received the required constitutional majority, is hereby declared passed. The Chair would remind the Membership that so far this morning we have debated one bill. We have one hundred and eleven bills left. At this rate, we'll be done by midnight. House Bill 822. Senator Weaver. House Bill 909. Senator Syverson. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 909.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. And I will certainly try to speed up the process. This legislation we have seen before. It amends

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the Public Construction Bond Act and would require that the bonds submitted by a contractor shall be in the form of a cash bond, letter of credit, or surety bond, as chosen by the contractor. This does exclude the City of Chicago and Cook County, who already have a system in place. I know of no opposition and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 909 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And House Bill 909, having received the required constitutional majority, is hereby declared passed. House Bill 1033. Senator Donahue. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 1033.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1033 allows a Gulf War Memorial to be built at Oak -- Oak Ridge Cemetery. It has no money involved. It'll all be provided by private donations. We just simply need the authority. This bill does it. I would ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 1033 pass. All those in favor, vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wished? Take the record. On



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that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 1033, having received the required constitutional majority, is hereby declared passed. House Bill 1081. Senator Karpiel. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1081.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. The amendment to House Bill 1081 took out any language about fire protection districts regulating open burning. As the bill stands now, all it does is say that a fire protection district can pass an ordinance to require the district to be notified if there's going to be open burning within their district boundaries. And it does not take away, reduce or replace any other government's permitting authority, and there was a population figure put on so that Cook County is exempted from the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 1081 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 1081, having received the required constitutional majority, is hereby declared passed. House Bill 1215. Senator Dillard. Bottom of page 9, in the Order of Senate Bill -- or, House Bills 3rd Reading, is House Bill 1268. Senator Weaver. Top of page 10, in the Order of House Bills 3rd Reading, is House Bill 1269. Senator Weaver. House Bill 1272. Senator Weaver. House

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Bill 1273. Senator Weaver. Senator Weaver, on House Bill 1276. Senator Tom Walsh, on House Bill 1386. House Bill 1436. Senator Dan Cronin. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 1436.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1436 is a component in the education reform. It's the final piece in establishing a career-long learning process for teachers, which ultimately improves teaching and learning. This is a -- a proposal that gives aspiring teachers a -- a road map on how to get from their school of education through their initial certification and into their standard certification. The bill includes the requirements and corresponding activities that the holder of an initial certificate must complete in order to earn their Standing {sic} Teaching Certificate after four years of teaching. The amendment replaces the requirement of successfully completing the Standard Teaching Certificate examination with a series of avenues, one of which must be completed by the teacher in order to obtain their standard certificate. The initial to standard certificate avenues are as follows: Number one, an -- an induction and mentoring program approved by the State Board of Education; number two, a certificate approval course, which involves four semester hours; number three, National Board certified preparation course of four semester hours, and -- or an advanced degree; number four, advanced degree; number five, sixty workshop hours, professional development units; or number six, a nationally normed,

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performance-based assessment. This is really, as I stated at the outset, the final piece in the puzzle that really improves the quality of teaching and really raises the bar -- raises the standard. And if you take this and put it in context where what -- with all the other pieces that we've put in place, we have legislation on the Governor's desk that requires the basic skills -- the enhanced basic skills test to be administered and passed before a student even is admitted to a school of education. Once a student proceeds to the school of education, they must pass a content-based test before they are admitted into their -- their student teaching. And then finally, they get their initial certification. They have to go through one of these avenues to get their Standard Teaching Certificate. And then, once you've got your Standing Teacher {sic} Certificate, you have to maintain it with a -- a hundred and twenty hours over a five-year period of time. We have really improved and really enhanced the professionalism, the demands on the teaching profession. It is not easy to become a teacher and it's not easy to maintain your teaching certificate. That's what the policy makers in this Body demanded. That's what the public expects. And I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 1436 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And House Bill 1436, having received the required constitutional majority, is hereby declared passed. House Bill 1535. Senator Syverson. House Bill 1536. Senator Syverson. House Bill 1889. Senator Thomas Walsh, do you wish this bill returned to the Order of 2nd Reading for the purpose of an

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amendment? Senator Walsh seeks leave of the Body to return House Bill 1889 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1889. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Walsh.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Tom Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. Amendment No. 4 is the result of an agreement that we were trying to make this bill similar to a law that has been passed in Wisconsin. In listing the disorders, we put eating. This would take eating out of the list of disorders to make this identical to the Wisconsin legislation. And it's an agreement between the insurance industry and the Dental Society. And I'd ask for favorable consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendment approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of House Bills 3rd Reading is House Bill 1889. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 1889.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

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SENATOR T. WALSH:

Thank you, Mr. President and Members of the Senate. House Bill 1889 is a -- as I said, an agreement between the insurance industry and the Dental Society to provide group policy or accident and health insurance. It provides that group policy and accident and health insurance must cover any charges and anesthetics provided in -- in conjunction with dental care that is provided to a covered individual in a hospital or ambulatory surgical center if the individual is: one, a child six years of age or under; two, has a medical condition that requires hospitalization or general anesthesia for dental care; or, three, is disabled. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 1889 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 Ayes, no Nays, none -- none voting Present. And House Bill 1889, having received the required constitutional majority, is hereby declared passed. House Bill 1975. Senator Radogno. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 1975.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1975 is an initiative of the Special Task Force on Mobile Home Taxation, which was convened by Secretary of State

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Jesse White. One of the issues that the task force looked at was the collection of the privilege tax and what happens when taxpayers are delinquent. And what we found is that only sixty percent of the people that are supposed to be paying the privilege tax pay it. Whereas, that collection rate is ninety percent for property taxes. So this bill essentially treats delinquent privilege taxpayers the same as delinquent property taxpayers. The bill specifies the penalties. It requires that those taxpayers be notified. And finally, it removes Cook County from the bill, because Cook County does not have a privilege tax. Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 1975 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And House Bill 1975, having received the required constitutional majority, is hereby declared passed. Senator Emil Jones, what purpose do you rise, sir?

SENATOR E. JONES:

Yeah. Thank you, Mr. President. I'm pleased to have with us Miss -- Miss Alissa Black. She's a student at Morgan Park Academy, one of the finest schools out in my district. She's here doing a -- a job as a Page, and she's interested in becoming Governor of the State of Illinois.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. Was that as a Republican Governor or a Democrat Governor? Senator Demuzio, what purpose do you rise?

SENATOR DEMUZIO:

While we're on that order of business, I, too, have a Page with me today. Chelsea Marley, who's from Nokomis High School.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Well, welcome to Springfield. Senator Watson, what purpose do you rise, sir?

SENATOR WATSON:

On that same order of business, Mr. President. Yes. I'd like to introduce Lorna Nuemann, who's with me right here, from Breese Central High School. And I also have Mark Hoskins, who's over -- right here to my right, from Mascoutah. Pages here for today.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. Senator Burzynski, what purpose do you rise, sir?

SENATOR BURZYNSKI:

Thank you, Mr. President. Would just, for the record, indicate that Senators Klemm and Stone have been absent May 7th, 8th and 9th, due to illness, and would like the record to reflect that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Thank you, Senator Burzynski. Middle of page 10, in the Order of House Bills 3rd Reading, is House Bill 2137. Senator Weaver. House Bill 2671. Senator Tom Walsh. House Bill 2765. Senator Philip. House Bill 2828. Senator Dillard. House Bill 3212. Senator Dillard. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 3212.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Now I'm on the side of the State Treasurer. This is an initiative of the State Treasurer's Office, and it deals with venture capital

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funding and seeks to greater diversify the State investment portfolio and grow technology businesses in the State of Illinois. This bill would allow the State Treasurer to invest no more than one percent of the investment portfolio with venture capital funds that support Illinois technology companies. Yesterday, Senator Pat Welch had some very good comments and encouraged the State Treasurer to invest more in Illinois. And under this bill, the investments must have a majority of employees in Illinois or a managing partner in Illinois that has made significant investments in our State. The firms are going to be required to seek investments in Illinois, and there are a number of Illinois requirements. Just to close, Mr. President, there is a -- a publication from the Council of State Governments that came out within the last couple of weeks called First Line, and it has an article, and its headline story is, it says state seeks to states. That means our -- or, competing states believe that venture capital is the way to boost slumping economies. And I think Illinois needs to stay at the forefront of technology and this is a good way to -- to help spur our Illinois economy. The Treasurer's put a lot of work into this bill and it's a good idea.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I haven't had any conversation with the State Treasurer about this bill, but she seems to think that this is a pretty good bill, so I guess we're on the program to vote Aye on this one. Contrary to that last one when she had that facts statement that came out and said oppose. So I think I'm going to vote -- vote Aye.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall House Bill 3212 pass. All those in favor will vote Aye.



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Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 3212, having received the required constitutional majority, is hereby declared passed. House Bill -- Senator Pat Welch, what purpose do you rise, please?

SENATOR WELCH:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR WELCH:

Mr. President, in the President's Gallery today, we have a group of elementary students with their instructor, Ken Wise, from the Custer Park Elementary School. Like to have them rise and be welcomed to the Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and be welcomed? Welcome to Springfield. Senator del Valle, what purpose you rise, sir?

SENATOR DEL VALLE:

Personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR DEL VALLE:

Thank you, Mr. President. We have here on the Senate Floor from -- two students from Jose DeDiego, Vanessa del Valle and Jessica Perez. You'll recognize the last name del Valle. Vanessa, my daughter, she's here with Jessica for the Illinois History Fair.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. And, Senator del Valle, we can tell that your daughter gets her beauty from her mother. House Bill

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3439. Senator Rauschenberger. House Bill 3463. Top of page 11, in the Order of House Bills 3rd Reading, is House Bill 3606. Senator Philip. House Bill 3653. Senator Bowles, for Senator Clayborne. House Bill 3673. Senator Myers. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 3673.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Myers.

SENATOR MYERS:

Thank you, Mr. President, Members of the Senate. This actually deals with school districts that have unusual problems. The first part of this deals with Granite City and aids schools who are heading for bankruptcy. The second part of it is a specialized problem that Cannon Elementary School in Danville District 118, who had to be closed back in October after September 11th, due to an anthrax scare. So these two -- this bill would aid those two schools who have unusual problems. I'd appreciate a positive vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3673 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 3673, having received the required constitutional majority, is hereby declared passed. House Bill 3712. Senator Parker. House Bill 3713. Senator Luechtefeld. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

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House Bill 3713.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. Senate {sic} Bill 3713 amends the Vehicle Code. It provides for the issuance of an Illinois Public Broadcasting Stations special license plates. Also, there's an amendment on the bill which allows for computerized recording of -- parking tickets was -- which was amended by Senator Bomke. Would appreciate an Aye vote on this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Pat Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator, with this bill, can you tell me how many special license plates we will have in Illinois?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, I can't tell you that. I do know that there are more than maybe we should have. I know that there has been an attempt, and I think, in fact, Senator Shadid has -- is possibly leading a movement to see to it that there has to be a certain number of people sign up before we do one of these things. And I think that's a good idea. Really do.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House

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Bill 3713 pass. All those in favor will vote Aye. Opposed will -- will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 51 Ayes, 5 Nays, none voting Present. And House Bill 3713, having received the required constitutional majority, is hereby declared passed. House Bill 3717. Senator Dillard. House Bill 3812. Senator Watson. With -- with leave, we will return to House Bill 3812 a little bit later. House Bill 3938. Senator Shaw. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 3938.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shaw.

SENATOR SHAW:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate -- House Bill 3938 is a repeal of the prohibition that we -- some ten years ago, we passed legislation outlawing cell phones in schools and so forth. And what we have found is that many parents want their children to have cell phones, and this would -- this would repeal that Act as we know it. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall Senate Bill -- House Bill 3938 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 3938, having received the required constitutional majority, is hereby declared passed.

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House Bill 3993. Senator Tom Walsh. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 3993.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President and Members of the Senate. House Bill 3993 amends the Professional Counselors and Clinical Professional Counseling Licensing Act {sic}. It extends the sunset date of the Professional Counselors and Clinical Professional Counselors Licensing Act. Provides for DPR -- provides that DPR may compel a licensee to submit to a mental or physical exam upon finding a possible violation of the Act. It removes language establishing a fee schedule and allows DPR to establish fees by rule. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3993 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And House Bill 3993, having received the required constitutional majority, is hereby declared passed. House Bill 3999. Senator Luechtefeld. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 3999.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. House Bill 3999 simply is a vehicle bill at the present time for directors -- funeral directors and embalmers. Would like to move this along, and hopefully - you know, we don't have any language at the present time - come up with something in, maybe, conference committee.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 3999 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 3999, having received the required constitutional majority, is hereby declared passed. House Bill 4007. Senator Philip. With leave, we will return to House Bill 4007. House Bill 4047. Senator Radogno. Senator Radogno. House Bill 4047. On the bottom of page 11, in the Order of House Bills 3rd Reading, is House Bill 4081. Senator Parker, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Parker seeks leave of the Body to return House Bill 4081 to -- to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4081. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Right. Thank you. We can debate this on 3rd if we need to,

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but what we are doing is incorporating into this bill - it does become the bill - for child pornography statute that we have, a different definition so that the statute is continued with -- consistent with child pornography, and that we have in here permitting sexual abuse. We are -- what we are doing here is putting -- in -- back into law what the Supreme Court has struck down, as far as permitting sexual abuse or assault for a child.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Parker.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

What we have done in here is take out one of the Sections for criminal delinquency, changing -- the age from twenty-one to seventeen - it will remain twenty-one - and also putting in here the -- the Class 1 felony.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Cullerton.

SENATOR CULLERTON:

Senator, Amendment No. 2 lowered the penalty from a Class 1 felony to a Class 4 felony. Amendment No. 3 is increasing it -- within your own bill, now you're increasing it back up to a Class 1 felony. Could you explain why you're doing that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Parker.

SENATOR PARKER:

Senator, in Judiciary Committee you, very rightly, had suggested and -- and brought up the situation that we were -- in the original bill, it was being lowered to Class 4, which had been suggested because of certain amendments in the bill. The original bill that was in the bill in 2000 has a Class 1 felony, which I agree with and I agree with what you had brought up in committee. We have brought it back to that and that's what it should be, and that is fine with the domestic violence people and also with the Cook County State's Attorney's Office, who is promoting this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Cullerton.

SENATOR CULLERTON:

Yes. What I pointed out in committee was - and you're correct - I did point out that you were lowering the penalty from a Class 1 to a Class 4, but I didn't disagree with that and nor did the State's Attorney's witnesses you sat next to in committee. But then the next day you came back to the committee, for some reason, and decided to change your mind and go back up to a Class 1 felony. I'm just wondering if you could explain to me what the thought process was.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Senator, you did bring it up in committee and I appreciate that. After conference with the Cook County State's Attorney and domestic violence people, the issue for them of bringing it down to Class 4 was not an issue. They are happy with having a Class 1 felony, and I agree with that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? If not, all those in favor, say Aye.



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Opposed, Nay. The Ayes have it, and the amendment is adopted.  
Any further Floor amendments...

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is House Bill 4081.  
Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4081.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President. What this bill does is amend the Criminal Code for enhancing penalties for recidivists in domestic violence and stalking statutes. And also, it goes into requiring that a person responsible for a child's welfare who knows that that child is being sexually abused is responsible for reporting that abuse.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4081 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 4081, having received the required constitutional majority, is hereby declared passed. Top of page 12, in the Order of House Bills 3rd Reading, is House Bill 4090. Senator... With leave, we will come back to House Bill -- 4090. House Bill 4103. Senator DeLeo. Senator DeLeo? House Bill 4116. Senator Myers. Madam Secretary, read the bill, please.

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ACTING SECRETARY HAWKER:

House Bill 4116.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Myers.

SENATOR MYERS:

Thank you, Mr. President, Members of the Senate. This amends the Unified Code of Correction. It provides that when DOC lets bids for certain contracts, the bids only be let to companies that have received irrevocable letter of credit or performance bond issued by a AAA-rated company.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4116 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, none -- no Nays, none voting Present. House Bill 4116, having received the required constitutional majority, is hereby declared passed. House Bill 4117. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to Executive Committee - Senate Resolution 426; and Be Approved for Consideration - Senate Amendment No. 2 to House Bill 3812, Senate Amendment No. 3 to House Bill 4117; Senate Amendment No. 1 to House Bill 5631, and Senate Amendment No. 2 to House Bill 5965.

PRESIDING OFFICER: (SENATOR DUDYCZ)

House Bill 4117. Senator Burzynski, do you wish this bill returned to 2nd Reading for the purposes of an amendment? House Bill 4117. Senator Burzynski, you wish this bill returned to 2nd

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Reading for purpose of an amendment? Senator Burzynski seeks leave of the Body to return House Bill 4117 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4117. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I'd like to table Amendment No. 2.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski seeks to table Amendment -- Floor Amendment No. 2. Hearing no objection, leave is granted. Floor Amendment No. 2 is tabled. Senator Burzynski. Are there any further amendments approved for consideration?

ACTING SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 is agreed-upon language between the Concerned Christian Americans, the Jewish Committee, ACLU, among many others relative to this bill. It changes the voluntarily initiated prayer to student prayer.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved?

ACTING SECRETARY HAWKER:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is House Bill 4117.  
Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4117.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
This is a bill that has gone through quite a bit of manipulation over the last month as we tried to work with concerned entities relative to the actual verbiage in the bill. At this point, we think that we've got a fine piece of legislation that clarifies what student-initiated prayer is and where that can occur without disruption to the school day and to others. It is a bill that seeks to clarify that. I'd be more than happy to answer any questions. I would point out again, though, that as far as we know, and -- and right now this last amendment that we adopted does take out concerns that the Concerned Christian Americans had, the Jewish Committee, ACLU, as well as others the -- at this time. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4117 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And House Bill 4117, having received the required constitutional majority, is hereby declared passed. Senator Cullerton, what

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purpose you rise, sir?

SENATOR CULLERTON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR CULLERTON:

Mr. President, I'd like to introduce some guests of mine here in Springfield today. They're actually from Senator Parker's district, but they're my guests here today. The Heisler's: Andrew, Ben, Cheryl, David and Alise. I want to have the Senate welcome them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to Springfield. With leave of the Body, we'll return later to House Bill 4130. House Bill 4179. Senator Lisa Madigan. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4179.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR L. MADIGAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. All that Senate Bill -- or, House Bill 4179 does is to accord the same status to EMTs and paramedics, whether they are employed by a government entity or they're volunteer, the same status under the aggravated assault statute as firemen, police officers and community policing volunteers. For purposes of legislative intent, there should not be a lesser included offense if this is committed with a firearm.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House

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Bill 4179 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And House Bill 4179, having received the required constitutional majority, is hereby declared passed. House Bill 4214. Senator Sullivan. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4214.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4214 makes a very narrow change to the Liquor Control Act to grandfather certain existing licenses that have been continuously licensed for more than fifty years in the City of Chicago. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4214 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 41 Ayes, 13 Nays, none voting Present. And House Bill 4214, having received the required constitutional majority, is hereby declared passed. House Bill 4220. Senator Tom Walsh. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4220.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President, Members of the Senate. House Bill 4220 amends the Managed Care Reform and Patient Rights Act by prohibiting a health care or its -- subcontractors to require an enrollee to substitute their participating primary care physician under the plan during inpatient hospitalization without the agreement of the enrollee's participating primary care physician. Further, all health care plans must inform the -- their enrollees - we take prospective enrollees out of there - of any policy, recommendations, or guidelines concerning the substitution of the enrollee's primary care physician when hospitalization is necessary. This language does not apply to PPOs, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall -- I beg your pardon. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just if the sponsor would yield for a question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, as you well know, this bill has been through the gauntlet. Just so I'm clear on it, and I think I am, but I just want to double-check for the record. This now only -- only refers to HMOs, no PPOs, no ERISA or anything else, I know, 'cause the unions had had concern that they would have to drop the insurance on their retirees if the bill would have went through in its original form. The way it is now, everyone's pretty much on board, perhaps with the exception of Humana. Is that correct?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Yes. That -- that -- that -- that's true, Senator Jacobs.  
Just -- just as you stated it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Any further discussion? If not, the  
question is, shall House Bill 4220 pass. All those in favor will  
vote Aye. Opposed will vote Nay. The voting is open. Have all  
voted who wish? Have all voted who wished? Have all voted who  
wished? Take the record. On that question, there are 56 Ayes, no  
Nays, none voting Present. And House Bill 4220, having received  
the required constitutional majority, is hereby declared passed.  
Senator Demuzio, what purpose you rise, sir?

SENATOR DEMUZIO:

Point of personal privilege. On -- on...

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR DEMUZIO:

On House Bill 4214, I pushed my Yes button. I meant to --  
inadvertently -- I meant to vote No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Record shall so reflect, Senator Demuzio. House Bill 4228.  
Senator Radogno. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4228.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.



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This bill is an initiative of the Illinois State Chamber, and it amends the Business Corporation Act and the General Not For Profit Corporation Act to provide that shareholders may participate in meetings of shareholders through the use of conference telephones or other interactive technology. There's no known opposition. I ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4228 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 4228, having received the required constitutional majority, is hereby declared passed. House Bill 4230. Senator Radogno. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4230.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4230 creates a Multiple Sclerosis income -- checkoff so that we can fund projects to -- pertinent to multiple sclerosis. Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4230 pass. All those in favor will -- will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 Ayes, no Nays,

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none voting Present. And House Bill 4230, having received the required constitutional majority, is hereby declared passed. House Bill 4344. Senator Shadid. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4344.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. This -- House Bill 4344 amends the Vehicle Code and authorizes license plates for street rods and custom vehicles. It also makes it clear that the National Street Rod Association will conduct their inspection in a form that's prescribed by the Secretary of State. I'd appreciate an affirmative vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4344 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. And House Bill 4344, having received the required constitutional majority, is hereby declared passed. House Bill 4353. Senator Roskam. House Bill 4397. Senator Clayborne. With leave, Senator Bowles. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 4397.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President, Members of the Senate. House Bill 4397 was -- I've been asked by Senator Clayborne to carry this bill on behalf of the City of Belleville. It also helps Loves Park, Belvidere and others. This bill is totally permissive. It contains the same provisions of Senate Bill 1635 that was sponsored by Senator Syverson and that passed out of here with a 55-0-0 vote. This bill simply permits certain municipalities that have had population changes as a result of the 2000 Census to keep the same number of aldermen that they had prior to the Census if that is what they wish to do. This bill is supported by the Municipal League. I know of no opposition, and I would ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4397 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 4397, having received the required constitutional majority, is hereby declared passed. With leave, we will return some other time to House Bill 4411. On top of page 13, in the Order of House Bills 3rd Reading, is House Bill 4453. Senator Donahue. House Bill 4580. Senator Rauschenberger. House Bill 4581. Senator Rauschenberger. House Bill 4667. Senator Sullivan, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Sullivan seeks -- leave of the Body to return House Bill 4667 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4667. Madam Secretary, are there any Floor amendments approved for consideration?

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ACTING SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Sullivan.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment simply clarifies that nothing in this bill will restrict the Attorney General from pursuing -- pursuing deceptive practices acts in the natural gas marketplace.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is House Bill 4667. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 4667.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill -- this bill is agreed-upon language. The underlying bill requires alternative gas suppliers to meet the same requirements that they do for small commercial customers that they do for residential customers. There was an amendment dealing with gas utilities and HVACs that is agreed-upon language also that there will be a disclaimer in advertising and a limit on marketing

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at service calls. There's no known opposition. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4667 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And House Bill 4667, having received the required constitutional majority, is hereby declared passed.

PRESIDING OFFICER: (SENATOR DONAHUE)

House Bill 4680. Senator Madigan -- or, Dillard. Sorry. Out of the record. Senator Emil Jones, on House Bill 4725. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4725.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones.

SENATOR E. JONES:

Thank you, Madam President. House Bill 4725 is a vehicle bill that will be going into conference. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 4725 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 4725, having received the required constitutional majority, is declared passed. Senator Dillard, on House Bill 4795. Senator Burzynski, on House Bill

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4879. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4879.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Basically, what we've got is a bill that opens a grandfather provision with the private -- private alarm contractor section of the law, as well as Amendment No. 2 which allows the Department of Professional Regulation to grant temporary employment status to a prospective employee after the completion of a State Police background check, which according to the Department of Professional Regulation, turnaround time is approximately two or three business days. Be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 4879 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 4879, having received the required constitutional majority, is declared passed. Senator Cronin, on House Bill 4912. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4912.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 4912 simply makes changes to the David DeBolt Teacher Shortage scholarship, the Minority Teachers of Illinois scholarship and the special ed tuition -- special education teacher tuition waiver to update the programs and make them consistent with each other. These are in accordance with recommendations from the Governor's summit, the Senate Education Committee, to address the teacher shortage issue. Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Molaro.

SENATOR MOLARO:

Is this the bill, Senator Cronin, that there was amendment about that if you wind up not going to teach, you -- you forfeit that? I mean, how long does someone have to teach before it's forfeited?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Well, it -- this provides, and you have some knowledge of what we're talking about, but this is a scholarship given to kids that go to college. If in their freshman year, after they've accepted the scholarship and we're paying for their first year of school, they decide that they don't want to go into teaching, previously

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we would just say, "That's okay." But -- but now, with this amended version, they -- they have to be a little bit more serious and they have to accept the scholarship with the obligation and the commitment that they're going into education, going into teaching. And if they don't, they have to repay the money.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro.

SENATOR MOLARO:

That -- that's fine. Then one -- one last question. What happens if they go to school for two years, take the scholarship, and they either, a), just think it's not for them and they -- they don't continue on with their college education and/or they unfortunately flunk out, or family requirements that they go to work? Do they have to pay it back then?

SENATOR CRONIN:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Is there further discussion? Senator Cronin, to close.

SENATOR CRONIN:

Ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 4912 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 4912, having received the required constitutional majority, is declared passed. Senator O'Malley, on House Bill 4926. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4926.

(Secretary reads title of bill)



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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. House Bill 4926, as amended, amends the Criminal Code by increasing the penalty for a violation of aggravated criminal sexual assault with a weapon from a Class X to a Class X plus ten years. It also creates the new offense of sexual conduct or -- conduct or contact with an animal, making it a Class 4 felony to knowingly engage in such conduct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 4926 pass. Those in favor will vote Aye. Opposed, Nay vote -- opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 4926, having received the required constitutional majority, is declared passed. Senator Syverson, on House Bill 4933. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4933.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. This legislation amends the Illinois Motor Vehicle Code by adding ATVs to the definition of motor vehicle. This is legislation we have passed before. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 4933 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 4933, having received the required constitutional majority, is declared passed. Senator Shadid, on House Bill 4948. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4948.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam Chairman. House Bill 4948 amends the Vehicle Code. It changes the amount of time, from two days to five days, in which junking certificate numbers must be recorded by persons licensed under the Act. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 4948 pass. Those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 4948, having received the required constitutional majority, is declared passed. Senator Syverson, on House Bill 4975. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 4975.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. This legislation is involving the permitted user issue in regards to liability insurance and auto dealers. They are pretty close to, I think, having agreement worked out between the dealers and the insurance industry. There are a few things that are still being worked out, and the intent is to move it over to the House to have that work done in conference. Be happy to answer any questions, otherwise ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 4975 pass. Those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 4975, having received the required constitutional majority, is declared passed. Senator Watson, on House Bill 5000. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5000.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Madam President. This provides that the Liquor Control Commission can appoint, at their discretion, hearing officers to conduct hearing -- hearings that are involving complex issues. And it also allows the -- any home rule municipality - which is now municipalities over seventy-five

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thousand; we're eliminating that and just making it any home rule municipality - to determine the locality whether a church or church-affiliated school may locate within a hundred feet of a retail liquor establishment that's already been there. The liquor establishment is there; church moves in; we're allowing the local communities to make a determination as to whether or not that liquor license would be -- would -- would continue.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? The question is, shall House Bill 5000 pass. Those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. House Bill 5000, having received the required constitutional majority, is declared passed. Senator Cronin, do you seek leave to return House Bill 5002 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, on the Order of 2nd Reading is House Bill 5002. Madam Secretary, have there been any amendments approved for consideration?

ACTING SECRETARY HAWKER:

Yes. Floor Amendment No. 3, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin, on Amendment No. 3.

SENATOR CRONIN:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. Floor Amendment No. 3 amends the Abused and Neglected Child Reporting Act, the Criminal Code and the Code of Civil Procedure. This amendment is in response to much of the issues that have come to light most recently, very disturbing issues about the church and the failure to report incidents of child sexual abuse. This amendment requires members of the clergy to report sexual abuse to DCFS. It also provides that communications

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covered by the clergy privilege do not need to be reported. Floor Amendment No. 3 further extends the statute of limitations on criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, and aggravated criminal sexual abuse prosecutions committed against children and failure to report abuse based on the foregoing sex offenses to ten years after such a victim reaches the age of majority, which is eighteen. Finally, it prescribes a criminal penalty for members of the clergy who fail to disclose abuse. Failure to disclose is a Class A misdemeanor. A second or subsequent violation is a Class 4 felony. This is a very, very narrowly drafted bill. And I believe that a lot of thanks are in -- are in order for many of the participants in the process. First and foremost, the State's Attorney from DuPage County, Joe Birkett, played a key role in bringing many ideas together. He convened a religious summit of leaders of the John Marshall Law School and much of the input and recommendations from those religious leaders were included in the drafting of the bill. I want to thank my colleagues on -- on the other side of the aisle. Senator Cullerton and other Members of the Judiciary Committee were very involved and had some very, very meaningful direction and -- and advice. Staff was wonderful. I want to particularly thank the Catholic Conference who has been just marvelous in support and working very cooperatively. Christian groups, Jewish Federation, the House sponsors and the Bar Associations all were very, very helpful in drafting this bill. I'd be happy to answer some questions when we get to 3rd Reading, but I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and Amendment No. 3 is adopted. Are there further Floor amendments approved for consideration?

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ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. On the Order of 3rd Reading is House Bill 5002.  
Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 5002.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you very much. Also want to thank the esteemed Chairman of the Senate Judiciary Committee who was very helpful in giving us advice early on about keeping this narrowly drafted. You should know that we have preserved the sanctity of the privilege, the priest penitent, the confession, the minister communication. We recognize that there is a ministry that religion -- that has, in helping people, people who have problems. And we don't want to intrude. We do not want to limit that in any way, shape or form. We also have this very narrowly drafted. It just deals with criminal sexual abuse. And that is the nature of the issue that we are trying to respond to. And finally, we think it's significant that we've changed the statute of limitations and it applies across the board to all the mandated reporters. This is a -- a bill that I don't take delight in bringing to the Legislature, but I think all of us recognize that there is a very, very serious need for it. And I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Sullivan.

SENATOR SULLIVAN:

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Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President. Senator, only because I know I'll be asked this question in church on Sunday, and I think you've addressed it, but I want to clarify it. Does this amendment -- does this bill in any way affect the sanctity of the confessional?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Not one iota.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Cronin, to close.

SENATOR CRONIN:

We've had a healthy discussion. Everyone's pretty much tuned into the issues here and we had many people participating. Again, I want to thank all of those who spent a lot of time. Staff - Pete Baroni spent a heck of a lot of time with a lot of different groups. Reverend Bob, Ralph Rivera, Joe Birkett, again, and the Bar Associations were all very, very helpful. I thank them all, and I appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 5002 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 5002, having received the required constitutional majority, is declared passed. Senator Parker, on House Bill 5076. Read the bill, Madam Secretary.

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House Bill 5076.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. What this does is allow the court to appoint a special process server who is licensed under Private Detective, Alarm, Private Security, and Locksmith Act of 1993 to serve for child support enforcement services under Article X of the Illinois Public Aid Code. It is offered by Department of Public Aid. I would ask for an Aye vote and be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 5076 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 5076, having received the required constitutional majority, is declared passed. Senator Radogno, on House Bill 5140. Senator Lauzen, on House Bill 5145. Senator Thomas Walsh, on House Bill 5168. Senator Thomas Walsh, on -- House Bill 5169. Senator Rauschenberger, on House Bill 5236. Senator Dillard, on House Bill 5240. Senator Parker, on House Bill 5255. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5255.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker, on House Bill 5255.



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SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. As many of us know, the vehicle emissions testing has been an issue lately, particularly up in the Chicago area and East St. Louis. What this bill does is allows 1996 and newer vehicles to be tested by computer diagnostic exhaust equipment, rather than a treadmill emission test which is currently used. Any of the vehicles 1996 and newer have these equipment already on their cars. Actually, what this will attribute to is of the two million vehicles that will have had their emissions tested in 2002, under this proposal, eight hundred thousand vehicles, or forty percent, will be subject to the OBD test, which we are implementing here today. And what it -- this is a test that takes less than a minute, whereas the other takes three minutes and is a treadmill test. We think that this will be better for the consumers. I would be glad to answer any questions, and ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 5255 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 5255, having received the required constitutional majority, is declared passed. House Bill 5307. Senator Thomas Walsh. House Bill 5334. Senator Dillard. House Bill 5343. Senator Sieben. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5343.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

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SENATOR SIEBEN:

Thank you very much, Madam President. This legislation is an initiative of ED-RED and amends the Interfund Transfer Section of the School Code to remove the twenty-percent limit on the amount of funds that may be transferred on a one-time basis from the Education Fund, Operation and Maintenance Fund, and Transportation Fund. These transfers may only be used for the purpose of meeting a one-time, non-recurring expense. I know of no opposition and ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 5343 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 5343, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on House Bill 5351. Senator Dillard, on House Bill 5368. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5368.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This bill contains two Township Code provisions, one for Senator Tom Walsh and one for Senator Karpel. Senator Walsh's clarifies that when there's a vacancy in an elected township office, that the vacating officer cannot vote for his or her replacement. And Senator Karpel's just makes a clarification

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that an existing tax for senior citizen services may be used to construct, maintain, repair, and operate a senior citizens center. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 5368 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 5368, having received the required constitutional majority, is declared passed. Senator Luechtefeld, on House Bill 5375. Senator Rauschenberger, on House Bill 5383. Senator Dillard, on House Bill 5450. Senator Watson, on House Bill 5567. Do you seek leave... Read -- read the bill, Madam Secretary. No. Out of the record. Senator Dillard, on House Bill 5592. Senator Watson, on House Bill 5596. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5596.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much, Madam President. This legislation amends the Insurance Code to require parties seeking coverage under a possible {sic} (policy) as an additional insured to tender that claim to all applicable policies. This is to -- intended to rectify an Illinois Supreme Court decision in the John Burns Construction Company versus Indiana Insurance Company in which the court nullified the effect of an insurance policy's other insurance clause. What's happened as a result of the court

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decision is that many insurance agencies -- or, companies, including CNA, one of the largest participants in this subcontract market, have just announced that they're not going to participate and they'll be withdrawing all their coverage. Some of the other companies are doing the same thing, and what's happening is, subcontractors and small contractors are having problems getting insurance. And this is a means to try to rectify that situation. It passed out of the Insurance Committee unanimously. The Trial Lawyers are neutral on the issue, and it's supported by, of course, all the contracting groups and insurance industry.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 5596 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 5596, having received the required constitutional majority, is declared passed. We're all trying to go home. I understand that. But if you keep your voices down, we can move these things through real quick. Senator Lauzen, on House Bill 5608. Senator Sullivan, on House Bill 5610. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5610.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

I'm going to ask you to take your conferences off the Floor. Staff, Senators, be in your seats. Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. First of all, for the second day in a row, I'd like to

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welcome our great State Treasurer. Judy Baar Topinka has joined us on the Floor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome, Treasurer Topinka. Senator Sullivan.

SENATOR SULLIVAN:

And to the bill: House Bill 5610 simply permits the use of an electric personal assistive mobility device on a sidewalk, commonly known as a Segway. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Will sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, in committee, I believe the testimony was that these devices would go up to about twenty miles an hour. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sullivan.

SENATOR SULLIVAN:

There -- there was some discussion about that. They can -- they have the ability to go up to twelve and a half miles an hour and we have limited, in an amendment, the speed limit to eight.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Do they have a speedometer on them?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sullivan.

SENATOR SULLIVAN:

They don't. What they have is a -- a specific key that is a

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four-mile-an-hour key, and another key that's an eight-mile-an-hour key, and another one that is a twelve-mile-an-hour key. So, if you use your four-mile-an-hour key, you can only go four miles an hour.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Was it also the testimony in committee that although these will stop on their own, they only do that automatically after contact with another object or an individual? Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sullivan.

SENATOR SULLIVAN:

They will stop upon contact. In fact, when my ten-year-old son was here in Springfield the day that Segway was here, he got on the Segway and the gentleman from the company told him to go run into your dad. So, of course, he enjoyed that, and he did and it stopped immediately. Didn't push me back or anything. It stopped right away, when it -- when -- but it was on contact, yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shadid.

SENATOR SHADID:

I just want to thank the sponsor for reducing the speed limit down to eight miles an hour. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Sullivan, to close.

SENATOR SULLIVAN:

This will be a fun device on college campuses. The -- the Boston and Atlanta police departments are already using this, and the post office will use it. I think it'll be a great device.

PRESIDING OFFICER: (SENATOR DONAHUE)

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The question is, shall House Bill 5610 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 2 Nays, 1 voting Present. House Bill 5610, having received the required constitutional majority, is declared passed. Senator Bowles, on House Bill 5625. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5625.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bowles.

SENATOR BOWLES:

Thank you, Madam President, Members of the Senate. House Bill 5625 amends the Humane Care for Animals Act, and it provides a penalty for a cruelty violation, including every violation that involves more than one type of animal, except where the only one or more animals involved in violation are dogs. This law is the result of a horrendous incident that took place in my district where two juveniles - well, one fifteen, one sixteen - tied a cat to a tree, proceeded to throw lighted firecracks at this -- crackers at this cat, killed the cat in the process of doing this, set fire to it. The body of the -- of the cat was never found, so as a result, they were unable to prosecute. But what they did while they were in the process of doing this, was to videotape this whole horrendous act and then were selling these videotapes to whomever, their student body members or anyone else who was willing to buy the depiction of this horror that was placed upon this cat. This bill provides a penalty and mandates that the court shall order psychological treatment for anyone who is charged with this kind of violation.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I echo the comments of the sponsor of this bill, and let me tell you, Ladies and Gentlemen of the Senate, it would seem to me that the parents of these boys who did these things should look into them real fast and take them to a good psychologist or psychiatrist because I can remember reading about Dahmer, who murdered a whole flock of people in Wisconsin, starting that way. And I certainly want to see this discouraged. Parents, when you see your children burying little animals and what have you or hurting them like that, there's something wrong. And they -- you better look into their time now because their future might be jeopardized if you're careless with it now. And I certainly commend Senator Bowles for sponsoring this bill, and I'm glad I joined you with it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Bowles, to close.

SENATOR BOWLES:

I would just ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall House Bill 5625 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 5625, having received the required constitutional majority, is declared passed. Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCZ:

Thank you, Madam President. I stand on a point of personal privilege.



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PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR DUDYCZ:

In the gallery behind the Republican side here, we have some very special guests, not only from out of town, but from out of State. We have some children from Crown Point, Indiana, from the Solon Robinson Elementary School, and their teacher, Terri Williams. They're from Crown Point, Indiana, and there's no truth to the rumor they are my new constituents. But, Ladies, please -- Ladies and Gentlemen, please welcome our special guests.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you rise and be recognized by the Illinois Senate? Welcome to Illinois. Senator Dillard, do you seek leave to return House Bill 5631 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 5631. Madam Secretary, have there been any amendments filed for consideration?

ACTING SECRETARY HAWKER:

Floor Amendment No. 1, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you. This is just an effective date amendment, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. On the Order of 3rd Reading is House Bill 5631.

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Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 5631.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This is a shell bill that comes from the Taxpayers' Federation of Illinois and the Secretary of State's Office. They want to keep a franchise tax vehicle alive for some recommendations that they might have either next week or in the Veto Session, and it's a shell bill. And I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 5631 pass. Those in favor will vote Aye. Opposed, Nay. And the -- and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 5631, having received the required constitutional majority, is declared passed. Senator Dillard, on House Bill 5647. Senator Roskam, on House Bill 5652. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5652.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President, Ladies and Gentlemen of the

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Senate. House Bill 5652 does three things. It makes truth in sentencing apply to drug trafficking cannabis or controlled or counterfeit substances. The second thing it does is it addresses the Illinois Supreme Court's decision, People versus Walden, in which the court struck down a narrow provision of the Governor's -- Governor's 15, 20 and Life legislation, and this amendment -- or, this bill changes a provision in the aggravated battery statute, eliminating the basis of the court's decision. And finally, it corrects an error in the truth-in-sentencing statute, and it changes requiring a person convicted of DUI reckless homicide involving multiple -- multiple deaths to serve eighty-five percent of their sentence. I'll answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 5652 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 5652, having received the required constitutional majority, is declared passed. Senator Petka, on House Bill 5657. Senator Rauschenberger, on House Bill 5686. Senator Philip, on House Bill 5823. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5823.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 5823 provides civil protection for members of

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the National Guard not currently covered under the federal Soldiers' and Sailors' Civil Relief Act of 1940. House Bill 5823 would extend these civil protections to two groups: National Guard members serving on State active duty - State active duty might be flooding, might be a -- a prison riot, et cetera - and National Guard members serving under Title 32 of the U.S. Code. This is similar to Senate Bill 1583 that was passed out of here before. It changes two things. It changes the time frame from thirty days to sixty days. Would allow a member of the Guard a little more time to go to his bank and work out a -- some kind of a compromise. And secondly, it removes all the reference to federal military. I'm told that the Department is in favor of it. I'm also informed that the VFW, American Legion, et cetera, are all on the same side. So, be happy to answer any questions. Like to see a lot of green votes up there.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 5823 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. House Bill 5823, having received the required constitutional majority, is declared passed. Senator Sullivan, on House Bill 5851? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5851.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpiel, for what purpose do you seek recognition?  
Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the

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Senate. House Bill 5851 provides that if there's a change in ownership of a majority of the voting capital stock of an electric utility, the utility shall have the right to file with the ICC a new functional separation plan. There's no known opposition. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 5851 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 5851, having received the required constitutional majority, is declared passed. Senator Geo-Karis, on House Bill 5906. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5906.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Madam President. Madam President and Members of the Senate, this -- this bill creates the End Stage Renal Disease Facility Licensing Act. Provides for licensure requirements for end stage renal disease facilities and has certain exemptions in it and provides for minimum staffing requirements and provides that the Illinois Department of Public Health shall undertake the administration of this Act. And the Illinois Department of Public Health is for it, and I believe the Medical Society has withdrawn any objection to it. And I ask for favorable consideration for this bill, because we've had some horrible cases in my county where these people have these renal facilities and have done it

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with unclean hands and people have suffered from them.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Seeing none, the question is, shall House Bill 5906 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 5906, having received the required constitutional majority, is declared passed. Senator Sullivan, on House Bill 5941. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5941.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 5941 provides that the Secretary of State is authorized to suspend the driver's license of a person under twenty-one who has purchased or attempted to purchase liquor and there is a conviction on record for that offense. It passed unanimously out of the Judiciary Committee. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 5941 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. House Bill 5941, having received the required constitutional majority, is declared passed. Senator Roskam, for

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what purpose do you rise?

SENATOR ROSKAM:

Well, Madam President, on House Bill 5823, I inadvertently voted my -- my switch No, and I would like the record to reflect that I would have voted Aye if I'd seen the green light. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

The record will so reflect, Senator Roskam. House Bill 5961. Senator Dillard. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5961.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This is a companion bill to one we have already passed here dealing with a new problem in some of the major metropolitan areas of our State with respect to private homeowners' wells being contaminated by industry in the surrounding area. We've been working very closely with the Illinois Department of Public Health and the Director of the Illinois Environmental Protection Agency, and this bill would set up a revolving loan program to help these -- literally over a thousand homeowners with respect to low-interest loans so that they can connect their home to a village's or city's water line to get an alternative uncontaminated water source. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Senator Watson.

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SENATOR WATSON:

Yes. Just a quick question. Is this statewide implication?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? The question is, shall House Bill 5961 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 5961, having received the required constitutional majority, is declared passed. Senator Syverson, do you seek leave of the Body to return House Bill 5965 to the Order of 2nd Reading for the purposes of an amendment? Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 5965. Madam Secretary, have there been any amendments filed for -- approval?

ACTING SECRETARY HAWKER:

Floor -- Floor Amendment No. 2, offered by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. This amendment, I think, addresses some of the concerns that were raised in committee and would just give the Department of Public Aid some leeway in setting some eligibility guidelines for the program.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Obama.

SENATOR OBAMA:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. Question for the sponsor.



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PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Obama.

SENATOR OBAMA:

As the sponsor is aware, there's a -- there's a portion of this -- the original bill that we all very much support, and that is the extension of the KidCare program, a program that has been a resounding success here in Illinois. Originally, the Democrats had some concerns about the imposition of asset tests for eligibility for KidCare. That was in the first amendment. My understanding, and I simply just want to confirm with Senator Syverson, this second amendment simply states that the Department may develop some sort of guidelines in terms of eligibility, but we are not, in fact, mandating any specific eligibility requirements beyond what are already contained in the law. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

You are correct, Senator Obama.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Obama.

SENATOR OBAMA:

With that understanding, I just want to indicate to this side of the aisle that I think this is a good bill, and I'd urge an Aye vote, or...

PRESIDING OFFICER: (SENATOR DONAHUE)

All in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

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3rd Reading. On the Order of 3rd Reading is House Bill --  
5965. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5965.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. This is the legislation, then,  
that extends the deadline for what is considered the best  
children's health program in the -- in the country, our KidCare  
program, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the  
question is, shall House Bill 5965 pass. Those in favor will vote  
Aye. Opposed, Nay. And the voting's open. Have all voted who  
wish? Have all voted who wish? Have all voted who wish? Take the  
record. On that question, there are 55 Ayes, no Nays, none voting  
Present. House Bill 5965, having received the required  
constitutional majority, is declared passed. Senator Madigan, for  
what purpose do you rise?

SENATOR L. MADIGAN:

Thank you, Madam President. I would like to be recorded as  
wishing to have voted No on House Bill 4214.

PRESIDING OFFICER: (SENATOR DONAHUE)

Record will so reflect. House -- House Bill 5996. Senator  
Radogno. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 5996.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill is the result of a local situation that came to my attention. Apparently, a citizen complained to the Department of Labor that twelve- and thirteen-year-olds were umpiring baseball games of younger children and being paid to do that. The Department of Labor investigated and it resulted in potential fines for the Darien Youth Baseball League of over six hundred thousand dollars. This got some publicity, and in the process of it being discussed, the Department received over three hundred calls. Apparently, twelve- and thirteen-year-olds officiating both soccer and baseball is not an uncommon practice in many areas of the State, and we need to address that in the child labor laws, which, as you know, were enacted over a hundred years ago in order to protect kids from sweatshops and so on. So, this bill -- the -- the -- the bill we -- or, rather, the law currently has a number of exemptions for kids to do things, such as agricultural work, baby-sitting, mowing lawns, selling newspapers, and also caddying for golf. So this would not be out of line with the spirit of what we currently have. The bill was drafted by the Department of Labor and may still undergo some further changes in the House in order to be sure that this works appropriately in the situations we're trying to address. But as it's currently drafted, it would require the parent or guardian to be present when the child's officiating. It requires a work permit, and that's required of older kids as well. It addresses the hours they can work, and it also specifies that there is to be a four-year age difference between the officials and the kids that are playing the game. And, again, because of -- that may need to be further refined in the House. But in order to keep this moving, we'd like

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to move forward with the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Will sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

She indicates she'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, you touched upon it, but this is going to go to conference committee for some further refinement, is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Yes, it will.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

When you do that, there -- there are two areas -- and I applaud you for trying to bring some common sense to a situation. But when we do that, when we do the drafting, we ought to make sure that we use common sense in the drafting too. And one of the areas, as a former Little League coach, I know that the age of the people who are playing is set on one date in the year. I think it's August 1st for baseball. And kids who have not reached, say, their eighth birthday by that date are considered eight-year-olds, and there may be almost a year difference in some of the kids who are playing. So, I think when you draft your age difference, you should set it on the age set by the League, rather than the age of each particular individual within that subset. And then I think, secondly, the -- the portion in the amendment requiring supervision by a parent ought to come out of the bill as well.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Further discussion? Senator Jacobs. Out of the -- further discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. I just want to commend the sponsor of the bill for working on this. I mean, for many youngsters - I was a Little League umpire - this is really our first job, for a game that's America's pastime, and we love it. It's a very benign activity that helps you grow as a person. And while I respect the Illinois Department of Labor and I know they got a complaint, ordering the youth umpires to get fired here, as I've said before, is like shooting a gnat with an elephant gun. And I appreciate Christine working on this to let some sanity come into the -- or, come into the picture for America's pastime, which is baseball.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Seeing none, Senator Radogno, to close.

SENATOR RADOGNO:

Well, thank you. I'd just ask for your favorable vote on this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 5996 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 5996, having received the required constitutional majority, is declared passed. Senator Syverson, on House Bill 6041. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 6041.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. As amended, this legislation does three things. First, it reduces fees for certain -- for -- architectural fees for certain groups of hospitals. That would include hospitals performing projects regarding homeland security, also disproportionate {sic} share hospitals. Secondly, it creates rights for hospitals seeking waivers of rules or standards for construction projects similar to those waivers granted nursing homes. And third, it creates a dispute resolution with the -- the public building commission. And those are the three areas that are touched by this bill. I think everyone's in agreement with that, but be happy to answer any questions you might have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 6041 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 6041, having received the required constitutional majority, is declared passed. With leave of the Body, request of the sponsor, House Bill 6169 through House Bill 6195 will be held. Now, we have a few bills we have to go back and pick up, and we have a death resolution. So, let's all -- for a former Member, so let's all get through the remaining three bills and our resolution and then we'll be able to go home. With leave of the Body, we had -- we had leave of the Body to go back to page 11 on House Bill 3812. And Senator Watson seeks leave of the Body to return House Bill 3812 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 3812. Madam

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Secretary, have there been amendments filed?

ACTING SECRETARY HAWKER:

Yes. Floor Amendment No. 2, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson, on Amendment No. 2.

SENATOR WATSON:

Yes. Thank you very much. This is a technical amendment that returns six words to the bill, which were inadvertently deleted by Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd -- 3rd Reading. On the Order of 3rd Reading is House Bill 3812. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 3812.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you very much. This does come from our Township Officials. It passed out of committee 9 to nothing, and it authorizes a one-time transfer of monies in a township general assistance fund to the township general -- to the general township fund pursuant to township board action. Such transfer may only occur if the township has not issued anticipation warrants or borrowed monies from this fund during the previous three years,

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and any transfer out of the general assistance fund must leave enough monies in the fund equal to the greater of, one, the amount of expenditures in the previous fiscal year for general assistance, and number two, in an amendment that was added, an amount equal to either ten percent -- or, point -- yeah, ten percent -- .10 percent of the last known EAV of all taxable property in the township or one hundred percent of the highest amount levied for general assistance purposes in the last three previous fiscal years. This was put in there at the request of Leyden Township in Cook County.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Discussion? Seeing none, the question is, shall House Bill 3812 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 1 voting Present. House Bill 3812, having received the required constitutional majority, is declared passed. On the top of page 15, with leave of the Body, we will go back to House Bill 5608. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 5608.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Madam President. House Bill 5608, as amended, is a vehicle bill to keep alive a solution to the insolvent worker compensation group self-insurance pools. I would ask for its...

PRESIDING OFFICER: (SENATOR DONAHUE)



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Is there any discussion? Seeing none, the question is, shall House Bill 5608 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none {sic} (1) voting Present. House Bill 5608, having received the required constitutional majority, is declared passed. Resolutions.

SECRETARY HARRY:

Senate Resolution 429, offered by Senator Luechtefeld.  
It's substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

Messages.

SECRETARY HARRY:

Message from the President, dated May 9th, 2002.

Dear Mr. Secretary - Pursuant to the provisions of Senate Rule 2-10(e), I hereby extend the deadline for Senate {sic} Bills 3rd Reading on the following category of bills, with specific bills enumerated under this category, to May 31, 2002:

State Finance - specifically, House Bills 2137, 2828, 4581, 5236, 5334, 5351 and 5383.

Appropriations - specifically, House Bills 3439, 3643, 6169, 6170, 6172, 6173, 6175, 6178, 6181, 6184, 6188, 6195.

Budget Implementation - specifically, House Bills 4580 and 5856 {sic} (5686).

Pensions - specifically, House Bills 2681 {sic} (2671), 5168 and 5169.

Government Operations - specifically, House Bills 1535, 1536, 3606, 4090, 4453, 5140 and 5567.

Revenue - specifically, House Bills 1268, 1269, 1272, 1273 and 1276.

Local Government - specifically, House Bills 1215, 2765, 3653, 4795, 5240, 5375.

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Gaming - specifically, House Bill 822.

Elections - specifically, House Bills 4680, 5450, 5647.

Insurance - specifically, House Bill 1386.

Judiciary - specifically, House Bills 3713 {sic} (3717),  
4353 and 5657.

And Commerce - specifically, House Bill 5145.

Signed by President Philip.

Another Message from the President, dated May 9th, 2002.

Dear Mr. Secretary - Pursuant to Rule 2-10, please be  
advised that the Senate will not be in Session on Friday, May 10.  
Therefore, when we adjourn on Thursday, May 9th, the Senate will  
reconvene on Monday, May 13th, at 4 o'clock p.m.

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions Consent Calendar. We will now proceed to the  
Order of Resolutions Consent Calendar. With leave of the Body, all  
those that were read in today will be added to the Calendar. Mr.  
Secretary, have there been any -- any objections filed to any  
resolution on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? If not, the question is, shall the  
resolutions on the Consent Calendar be adopted. All those in  
favor, say Aye. Opposed, Nay. The Ayes have it, and the  
resolutions are adopted. Senator Lauzen, for what purpose do you  
rise?

SENATOR LAUZEN:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR LAUZEN:

Thank you. I would like to welcome to Springfield and to the

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Senate my wife, Sarah, and our two youngest sons, Hans and Robbie, who are serving as Pages. Thank you very much.

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome to Springfield. Senator Watson, for what purpose do you rise?

SENATOR WATSON:

Yes. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR WATSON:

Yes. Just to remind the Members that we have a softball game Tuesday and we probably ought to be getting serious about it. So, Monday night we will try to have a practice. So, come -- those of you who are planning on participating, we will try to have a practice. We're also going to ask each Member, once again, to give ten dollars towards a local charity, and the local charity here in Springfield will be the Big Brothers Big Sisters program. So, we will make a presentation to them at an appropriate time. So, see you Monday, and be ready to go.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you, Senator. Senator Viverito, for what purpose do you rise?

SENATOR VIVERITO:

Personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your -- state your point.

SENATOR VIVERITO:

Last Sunday I had the honor of attending the Hilton hotel where we were able to honor a very special young lady that's given a lot of time and energy to her community, and she made a -- really a great acceptance speech. It was by the Order of the Italian-Americans in the State of Illinois, and the honoree was

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none other than our Debbie DeFrancesco Halvorson. How about a nice round of applause for Debbie Halvorson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Congratulations, Debbie. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, we're not going to be here tomorrow, but Senator Lightford has a birthday, and so we ought to say something about that. She's going to be thirty.

PRESIDING OFFICER: (SENATOR DONAHUE)

Happy birthday, Senator Lightford. Senator Demuzio.

SENATOR DEMUZIO:

And also, I see these flowers over on our colleague's desk over here, Evelyn Bowles. And we're very curious as to what that is all about. And so we have summoned all of the investigators that we can to get to the bottom of it. And as I understand it, this is her eighth anniversary of being here in the Senate, and we want to wish her congratulations on her eighth. Stanley Weaver and I have -- and Pate and a few others have been around a little bit longer than you have, but we never got flowers on our eighth anniversary. So, we want to say congratulations to Evelyn Bowles.

PRESIDING OFFICER: (SENATOR DONAHUE)

Happy anniversary, Senator Evelyn. Senator Karpiel, for what purpose do you rise?

SENATOR KARPIEL:

I -- I rise to announce a Republican Caucus. Brief caucus. Very speedy and immediately after we adjourn, in Senator Philip's Office.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate Republican Caucus. Senator Smith, for what purpose do you rise?

SENATOR SMITH:

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Thank you, Madam Chairman. And I stand to announce that there will be a brief meeting of the Democratic Caucus in Senator's office -- President Jones, immediately at the close of this Session. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate Democratic Caucus immediately following adjournment. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 79, offered by Senator Weaver.

(Secretary reads SJR No. 79)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver moves to suspend the rules for the purpose of immediate consideration and adoption of Senate Joint Resolution 79. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Senator Weaver now moves to adopt Senate Joint Resolution 79. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolutions {sic} are adopted. All right. If I could have the Members' attention. I'd like -- for the information, when we adjourn after our death resolution, we will adjourn until Monday, May 13th, at 4 o'clock. So, Monday at 4 o'clock. Will all our Members please be in your seats? Will the staff please retire to the gallery? And will the Doormen please secure the doors. Senator Jones moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 78. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Madam Secretary, the resolution.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 78, offered by Senator Emil Jones and all Members.

(Secretary reads SJR No. 78)

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. Earlier today, I introduced my daughter, who is here in Springfield as part of the Illinois History Fair. She won at the city level, and her subject is the 1981 redistricting case. I think many of you will remember that. It was in that case that I became the lead plaintiff for Hispanics, and it was during that time that I had the privilege of being able to work with Senator Newhouse for the first time. I had had contact with him, but it was really the first time that -- that we really were able to get to know each other. He and Carol Moseley-Braun were fighting to ensure that African-Americans and Hispanics gained more opportunities for representation in Springfield. My daughter's project is titled, "Hispanics on the Road to Springfield", because prior to that, an Hispanic had never served, an Hispanic hadn't even attempted to run for the Illinois Senate. And I said to her -- when she was preparing her project, I gave her a picture that I had in my office of Senator Newhouse and myself sitting together, and I said to her, two months ago, I said: This is an African-American man who understood the importance of making sure that all segments of our population have access to this Body and are able to partake, to participate and influence what happens in this place. And I said to her: He paved the way. He paved the way. Little did I know at that time that we would be here today with her present, doing this death resolution. A great man. We say that about all our Members. All our Members are great. But what struck me the most about Senator Newhouse was that when he left this place, his ideals had not changed one bit. And this place does have a way of -- of changing. You end up compromising on issues, and people -- people do change. But Senator Newhouse, during his last days in this Body, got up and gave the same impassioned speeches that he had

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given many times over the years, whenever he had to get up and talk about the importance of improving our schools, the importance of minority access to higher education. You'll recall the many times that he said that we had our prisons filled with individuals who have great minds but no opportunities, real opportunities. So, he was a champion, a champion, till his last day here. And I worked with him closely when I joined this Body on the issue of minority access and retention to higher education. As an intellectual, as a brilliant man, as a well-read man, he said time and time again that the answer is education and that that is the answer to poverty and the answer to the misery that we have in our communities. He established the architectural competition for high school students, and that demonstrated to our kids in our neighborhoods, African-American kids, that you can be an architect, that that is not something that is far away, an unreachable, unattainable goal. He fought for and with the Illinois Committee on Black Concerns in Higher Education and became a champion. And as a result of that, our public universities today have higher African-American and Hispanic enrollment, higher retention rates, higher graduation rates, because of his work. Yes, I admired the man for always standing up. I admired his run for mayor, when I didn't know him at the time. It was tough running for mayor in Chicago at that time, and he stood up and he did it. A black man, a proud black man who recognized that if you're going to bring down barriers, you've got to put your neck on the line. And he didn't hesitate, not once, to put his neck on the line. He leaves a legacy, and I think history will clearly show the many contributions. But Dick Newhouse is part of the history of the City of Chicago, part of the history of Illinois that is not just African-American. It's a history that will show that through his leadership, through his heart, through his passion, his concern that never changed from

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day one, that through those efforts, people like me are here today and others have followed. And I think our kids, hopefully the kids who -- who are participating in the Illinois History Fair will take time to look at the history and the contributions of African-Americans and Hispanics and know that there's much more to come. But thanks to Dick Newhouse, we are what we are today. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President. Senator Newhouse exemplified what a Senator was supposed to be about, and in our community, as a matter of fact, Senator and Richard were synonymous because he was known as Senator Newhouse wherever he went. I mean, he was intelligent, articulate. He loved this State, very passionate about his community of Hyde Park and wouldn't let anyone debate him or win a debate when it came to fight for his community and what he really believed in. I met Richard Newhouse in 1974. I'd come back to Chicago from college, and I was working on the campaign for Ralph Metcalf against France, in that congressional race. Senator Newhouse also worked with us. We were on the Metcalf, and Erwin France was Mayor Daley's chosen person. And so, I -- I got to meet him and -- and we got to hang out a little bit. In 1975, when he ran for mayor, I was there, working with him. He was not only my Senator, but he was also my neighbor at the time. And we won the congressional race, didn't win that race -- his race, but what he did for the community by standing up and letting folks know that you don't have to be afraid of anything, stand up for your convictions, it certainly stuck with me. And through the years, as we -- we talked about what I was going to do with my life and -- and what we were going to do with the community, he was certainly very



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instrumental in encouraging me to come and serve in this Body. I replaced, for those of you who may not know, Carol Moseley-Braun. So, he was my Senator, even down here in this General Assembly. And it wasn't until after the remap, whereas that I finally got my own district. But he has always been someone that I've emulated, someone that the community certainly was very proud of. You know, he was -- he was a good-looking man, and as -- as you Members who've been here for awhile know, he looked real good in a bow tie. And so, needless to say, I picked up some of his dressing habits as well. But he -- he wasn't -- I mean, he was a humanitarian, in so many ways, that -- you know, we -- we use that word sometimes very lightly. Another one of our neighbors, after we heard that he passed away last week, still real good friends of my wife's, called the house, and you know how you start sharing stories. Said the first thing she remembered about seeing this guy is that this crazy man ran in the street, almost got hit by a car, and she -- she thought, "What's wrong with this guy?" A bird had fallen out of a tree. Senator Newhouse saw that bird fall. Didn't want it to get killed. Literally {sic} got himself killed saving this little bird. Well, that's -- that's how he went about everything. I mean, just -- do the right thing no matter what it takes, because his attitude was "I'm going to be okay." Senator del Valle sort of mentioned about how he was really concerned about our growth and our community as a people. He used to sit with us, and education, yes, was his -- his thing, but economic development and also self-determination he felt that we should really have a handle on as well. He used to say, "Don, every ethnic group has a plan. I mean, they have plans. You know, this is how they get ahead. You know, they know what they're going to do. There's -- there's schools. For the -- for the real smart ones, they get to go to law school and go to med school. Those smart but not book smart, well, they form unions for them. You

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know, the Irish have the painters' union and the Polish, you know, they have the plumbing union. You know, the thing is, we don't have a plan. We have to get a plan." Until he died, he was still working on getting all of us to get a plan. I'm going to miss Dick Newhouse. Dick was -- was a good friend of mine, as his wife is still a friend of mine, and the thing is, is he was certainly a friend of all of ours.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Obama.

SENATOR OBAMA:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I had the privilege of first meeting Senator Newhouse in 1992 when, fresh out of law school, I decided to take up the task of doing voter registration in preparation for the 1992 Presidential election and U. S. Senate election. And what strikes me is the graciousness, the care, the consideration that Senator Newhouse extended to myself, somebody relatively new on the political scene. He took the time to take me and meet -- introduce me to the people who could be helpful in this voter registration effort. He was continually counseling me, continually offering his help and advice and, occasionally, offering to buy me a meal because he knew my salary wasn't very high. Since that time, I've had the privilege not of knowing Senator Newhouse as well as some of the previous speakers who had the opportunity to serve with him, but somebody who I knew as a constituent and who over the last few years, whenever I ran into him in the store or occasionally he would call me, would give me advice and counsel about how I should be thinking about various issues. And I must say that, most of the time, he was right. And again, I was always struck by his graciousness, his generosity, his thoughtfulness and, as Senator del Valle and Senator Trotter indicated, his fierce independence, his insistence on thinking for

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himself, his insistence on ensuring that whatever policy positions he took, they were not simply for his narrow self-interest but, rather, for the broader interests of the community. What strikes me, when I was sitting at Senator Newhouse's funeral on Monday, was the degree to which I think Senator Newhouse reflects the best impulses and best instincts in politics. I think there's times where all of us get swept up in some of the baser aspects of politics, the gamesmanship, the self-aggrandizement, the vanities that are involved with the political process. And I'm not suggesting that Senator Newhouse was necessarily immune from all those things. I think that operating in the environment that we do, we're all subject to that. We all have our feet of clay; we all have our weaknesses. But I think, as is indicated by Senator del Valle's comments and Senator -- Trotter's comments, and hopefully my own, when we're doing things right, when we're at our best, what we do down here and what we do back in the community has less to do with headlines, very rarely does it have to do with major earth-shattering legislation, very rarely are we completely transforming the way things work, but rather what we're doing is, in slow, incremental steps, trying to push that boulder in the right direction and, hopefully, having the kinds of positive influence on generations who are coming up behind us so that they're willing, when we're passing on, they're willing to take up that same task of slowly, in incremental steps, with great difficulty and occasional weariness, moving our society, nudging it, just slightly, in a better direction. I think that Senator Newhouse recognized the importance of that task, even when it was done outside of the limelight. I think that his record speaks for itself, but I wanted to emphasize, I think, the enormous influence, even away from the newspaper headlines, that he had on so many of us. I think he is extraordinarily missed in the community that I now serve, his former district, and I do know

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that for as long as I remain in the State Senate, the standards by which my performance is judged will continue to be based on the performance, the magnificent performance, of Senator Richard Newhouse.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones.

SENATOR E. JONES:

Yeah. Thank -- thank you, Madam President. Listening to the previous comments and all the accolades of our colleague, as I've often said, this place brings together people from all walks of life, and when Senator Newhouse came to Springfield from Chicago, he was unique because he beat the tradition. He was not a regular Democrat, as such. And so, in arriving here, he was like a fish out of water. You know, the call would come from city hall, and Newhouse didn't receive a call. But you learned to meet people, and you learned them, and you learned to respect the things that they -- they stood for. I know Senator Vince Demuzio and several other Senators who served with him during the seventies, at a time we had a group called the "Crazy Eight". I think one of the craziest ones is still here, along with Senator Newhouse. And when they were electing the Senate President, it must have last for a hundred -- hundred and seventy-six ballots, I think it was. Newhouse was part of the group, not the Crazy Eight, but I think with the Black Caucus, three or four of them. But he always championed the cause of people. He opened the doors of opportunities - in higher education, for example, making sure that one had access to professorship, retention issues that we're still dealing with today; and his architectural competition in Chicago, opening doors to youngsters who previously didn't even know the doors existed, and the program is still in existence today. He was a great legislator, trying to carry out the will of the people who sent him here, as well as, in the broader sense, all

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Illinoisans. And he'll be missed, but his legacy will live on. And at that memorial service, I saw Senator Rock, I saw former Senator Brookins, Alexander, Senator Dawn Clark Netsch, and the many who served with him in this great Body, this great university. He did add a lot to Illinois, and he will be surely missed. I move the adoption of the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Emil Jones moves the adoption of Senate Joint Resolution 78. All in favor of this resolution, please rise. Senate stands adjourned.